

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) Judge Carter
v.)
) Mag. No. 1:12-mj-256
PATRICK J. WINTERS)
JESSICA M. HARRIS)

MEMORANDUM AND ORDER

In accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and in accordance with the Bail Reform Act, 18 United States Code § 3142(f), the preliminary hearing was held in this action on August 15, 2012. Those present at the hearing included:

- (1) AUSA Terra Bay for the United States of America.
- (2) The defendant, PATRICK J. WINTERS.
- (3) Atty. Charles Dupree for defendant WINTERS.
- (4) The defendant, JESSICA M. HARRIS.
- (5) Atty. Paul Bergmann for defendant HARRIS.
- (6) Deputy Clerk Kelli Jones.

Upon being sworn, the defendants were informed or reminded of their privilege against self-incrimination accorded them under the 5th Amendment to the United States Constitution.

Preliminary Hearing - Proof

AUSA Bay called DEA Agent James Hixson as a witness. He testified to the facts outlined in the affidavit attached to the criminal complaint.

Findings

Having heard and considered the testimony of the Agent Hixson during the preliminary hearing and the sworn Affidavit/Complaint, the undersigned finds:

- (1) There is probable cause to believe that there have been violations of 21 U.S.C. §§ 841(a) and 846, possession with the intent to distribute a controlled substance and conspiracy to distribute a controlled substance, committed in the Eastern District of Tennessee.
- (2) There is probable cause to believe the defendants committed the aforesaid offenses.

Conclusions

It is therefore ORDERED:

- (1) Defendant Patrick J. Winters shall be DETAINED without bail. Defendant Jessica M. Harris shall remain on BOND as there are conditions to ensure her appearance at future hearings.
- (2) Defendant Winters is held to answer the charges against him in the District and defendant Harris is released on previous conditions of bond.
- (3) The defendants' next appearance shall be before U.S. Magistrate Judge Susan K. Lee on **Wednesday, September 5, 2012, at 2:00 p.m.**

ENTER.

S / William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE